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REMARKS

Claims 1-17, 19, 20, and 22-32 are currently pending. Claim 20 has been amended for clarification. It is respectfully submitted that no new matter has been added.

The Patent Office is thanked for its allowance of claims 20 and 22-27 and its indication that claims 6, 14, and 31 recite patentable subject matter. However, applicant believes that all pending claims are allowable.

Rejections under 35 U.S.C. 103(a)

Applicant's claimed invention relates to a method for relating a plurality of system identifications (SIDs) in a mobile device is provided. The method includes the steps of identifying a plurality of SIDs having a common spatial characteristic, storing the identified plurality of SIDs, comparing a SID received from a wireless service provider to the stored plurality of SIDs and, upon any one of the plurality of stored SIDs matching the received SID, declaring the wireless service provider as being a Home service provider. Alternatively, or in conjunction with comparing received SIDs for the case where none of the plurality of stored SIDs matches the received SID, Applicant's claimed invention further compares a received System Operator Code (SOC) to stored SOC's, including at least one of a Home SOC, a Partner SOC, a Favored SOC and a Forbidden SOC.

The Patent Office rejected claims 1 and 32 under 35 U.S.C. 103(a) as being unpatentable over Seazholtz, U.S. Patent No. 5,920,821, in view of Thompson, U.S. Published Patent Application No. 2004/0214572.

Claim 1 recites

A method comprising: storing a system identification that identifies a home service provider for a mobile station; identifying a plurality of system identifications having a common spatial characteristic; storing the identified plurality of system identifications in a memory that is accessible by a mobile station; comparing a system identification received from a wireless service provider to the stored plurality of system identifications; and upon any one of the plurality of stored system identifications matching the received system identification, declaring the wireless service provider as being a home service provider for the mobile station.

Seazholtz (US5920821) describes system where a roaming subscriber scans a channel for a list of SIDs for each of plurality of available frequency bands. Then a comparison is made with

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a stored list of preferred SIDs and a single SID is then selected. After the selection the terminal establishes a carrier corresponding to the selected SID.

However in Applicant's claimed invention the plurality of SIDs in the memory could all represent potential home service provider, since whenever a received SID matches a SID in the stored list, the service provider is declared as a home service provider for the mobile station. Furthermore it is explicitly said in [0046] of Applicant's application that "If the received SID matches any of the stored SIDs in the Cousin SID list 200, the mobile station 10, when operating in the prepaid mode, makes the determination that the category of the associated service provider is a Home service provider, and that the mobile station 10 is not roaming".

Therefore the Seazholtz fails to teach the present invention and fails to declare the service provider associated with the selected SID as Home service provider. By definition the mobile station is not roaming then. When the match is found, the subscriber is a non-roaming subscriber.

The Patent Office asserted on page 3, lines 12-13, of the Office Action dated March 17, 2009 as follows: "Seazholtz does not explicitly show that identifying a plurality of system identification having a common spatial characteristic."

Then, the Patent Office asserted as follows: "In the same field of endeavor, Thompson teaches identifying a plurality of system identification having a common spatial characteristic (page 1 [0010])."

Paragraph 0010 of Thompson discloses as follows:

[0010] Thus, due to the problems associated with multiple wireless infrastructures installed in a common area, it is desirable to provide a single wireless infrastructure which may be used by two or more wireless service providers (WSPs). This would allow a plurality of WSPs to utilize a common set of access points (APs) to provide service to a potentially overlapping set of customers or subscribers. It may also be desirable to provide a wireless infrastructure which can selectively provide different access levels to users of the system.

Thompson does not remedy the deficiency in Seazholtz.

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Because neither Seazholtz nor Thompson teaches or suggest “declaring the wireless service provider as being a home service provider for the mobile station,” any combination of Seazholtz and Thompson would fail to teach or suggest “declaring the wireless service provider as being a home service provider for the mobile station.”

Thus, claims 1 and 32 are allowable over Seazholtz in view of Thompson.

The Patent Office rejected claims 4, 7, 9, 10, 12, 15, 17, and 28 under 35 U.S.C. 103(a) as being unpatentable over Seazholtz in view of Thompson, and further in view of McGregor, U.S. Published Patent Application No. 2001/0000777.

As discussed above, Seazholtz in view of Thompson does not make obvious either claim 1. Seazholtz in view of Thompson does not disclose or make obvious declaring a wireless service provider as being a home service provider or home category service provider.

Claim 10 recites

A wireless communication system of a type that transmits system identification (SID) parameters to mobile stations, comprising in mobile stations associated with a prepaid service provider at least one memory storing a SID that identifies a home service provider for the mobile station and a list containing a plurality of other SIDs having a common spatial characteristic, the mobile station comprising a processor that is coupled to the at least one memory and that is responsive to a received SID for comparing the received SID to the SIDs in the list of SIDs and, upon any one of the plurality of SIDs matching the received SID, declaring a wireless service provider that transmitted the SID as being the home service provider for the mobile station.

Similar to the discussion regarding claims 1 and 17, neither Seazholtz nor Thompson discloses or suggests claim 10’s “declaring a wireless service provider that transmitted the SID as being the home service provider for the mobile station.”

McGregor, which discloses a home SID and a prepaid mode, does not remedy the deficiency of Seazholtz and/or Thompson.

Claim 17 recites

An apparatus, comprising: a controller; a wireless transceiver; and at least

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one memory, the at least one memory comprising a location for storing a home system identification and other locations for storing a plurality of cousin system identifications, wherein a system identification received through said wireless controller is declared by said controller to be a home service provider if the received system identification matches the stored home system identification or any one of the plurality of stored cousin system identifications, wherein the cousin system identifications are stored into said at least one memory under the direction of a prepaid service provider, and correspond to system identifications associated with one or more service providers that service a predetermined geographical area that is defined to be a non-roaming area of a customer of the prepaid service provider, wherein the home system identification is stored in at least one memory without the direction of a prepaid service provider.

The Patent Office has not addressed the previously claimed subject matter of the cousin system identifications are stored into said at least one memory under the direction of a prepaid service provider and the home system identification is stored in at least one memory without the direction of a prepaid service provider, recited as “the cousin system identifications are stored into said at least one memory under the direction of a prepaid service provider” and “the home system identification is stored in at least one memory without the direction of a prepaid service provider.”

Where does either Seazholtz or Thompson disclose or suggest “the cousin system identifications are stored into said at least one memory under the direction of a prepaid service provider” and “the home system identification is stored in at least one memory without the direction of a prepaid service provider?”

Seazholtz, in column 9, lines 40-56, discloses as follows:

Another aspect of the present invention includes a system for downloading data to radio telephone subscriber units that includes control means for updating at least one data list to be downloaded to the radio telephone subscriber units and generating a version number corresponding to a most-current data list. The system includes means for broadcasting the version number to the radio telephone subscriber units on a CDPD frequency. Each of the participating radio telephone subscriber units includes means for receiving the version number and means for comparing the received version number to a version number previously stored in that radio telephone subscriber unit. Each of the radio telephone subscriber units also includes means for initiating via a CDPD channel a

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download of the data list based upon a comparison of the version numbers.

Seazholtz in column 9, lines 40-56 does not disclose cousin IDs.

McGregor on page 12, in claim 25, discloses software but does not disclose “the cousin system identifications are stored into said at least one memory under the direction of a prepaid service provider” and “the home system identification is stored in at least one memory without the direction of a prepaid service provider.”

Barring disclosure of such subject matter by Seazholtz, Thompson, and McGregor, claim 17 is allowable over these two references, alone or in combination.

Thus, claims 4, 7, 9, 10, 12, 15, 17, and 28 are allowable over Seazholtz, Thompson, and/or McGregor.

The Patent Office rejected claims 2 and 3 under 35 U.S.C. 103(a) as being unpatentable over Seazholtz in view of Thompson, and further in view of Mizikovsky, U.S. Patent No. 5,983,115.

As discussed above, Seazholtz in view of Thompson does not make obvious either claim 1 or claim 17 and does not disclose or make obvious declaring a wireless service provider as being a home service provider or home category service provider.

Mizikovsky discloses (abstract) a communication device that locates a wireless service provider in a multi-service provider environment using a stored list of preferred service providers, the list has a plurality of uniquely identified sublists, each sublist is associated with a different geographic area and identifies a more preferred service provider and a less preferred service provider. Mizikovsky discloses (col. 8, lines 36-41) the mobile communication device registers with the best stored SOC or SID, that is, an SOC or SID that has at least been associated with a preferred service provider in which the best service provider is identified by comparing the stored SOC or SIDs with the list of preferred SOC or SIDs. Mizikovsky seeks to determine if a received SID or SOC is an optimal, preferred, or prohibited service provider (col. 5, lines 57-67) and does not appear to disclose or suggest assigning a home service provider (e.g., col. 3, lines 10-18). In contrast, the claimed invention in claims 2 and 3 recites that if a received SID

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matches one of a plurality of SIDs, then the service provider corresponding to the matched SID from the plurality of SIDs is declared to be a home service provider for the mobile station.

Thus, claims 2 and 3 are not made obvious by Seazholtz, Thompson, and/or Mizikovsky.

The Patent Office rejected claims 5, 8, and 19 under 35 U.S.C. 103(a) over Seazholtz, in view of Thompson and further in view of Bamburak, U.S. Patent No. 6,807,418.

Claims 5, 8, and 19 are allowable for the same reasons their respective base claims 1 and 17 are allowable.

The Patent Office rejected claim 11 under 35 U.S.C. 103(a) as being unpatentable over Seazholtz in view of Thompson and McGregor, and further in view of Mizikovsky, U.S. Patent No. 5,983,115.

As discussed above, Seazholtz in view of Thompson does not make obvious either claim 1 or claim 17 and does not disclose or make obvious declaring a wireless service provider as being a home service provider or home category service provider.

Mizikovsky discloses (col. 8, lines 36-41) the mobile communication device registers with the best stored SOC or SID, that is, an SOC or SID that has at least been associated with a preferred service provider in which the best service provider is identified by comparing the stored SOC or SIDs with the list of preferred SOC or SIDs. Mizikovsky seeks to determine if a received SID or SOC is an optimal, preferred, or prohibited service provider (col. 5, lines 57-67) and does not appear to disclose or suggest assigning a home service provider (e.g., col. 3, lines 10-18). In contrast, the claimed invention in claim 1 recites that if a received SID matches one of a plurality of SIDs, then the service provider corresponding to the matched SID from the plurality of SIDs is declared to be a home service provider for the mobile station.

It does not appear that Seazholtz, Thompson, McGregor, or Mizikovsky discloses or suggests “declaring a wireless service provider that transmitted the system identification as being the home service provider for the mobile station.”

Thus, claim 11 is allowable over Seazholtz, Thompson, McGregor, and/or Mizikovsky.

The Patent Office rejected claims 13 and 16 under 35 U.S.C. 103(a) over Seazholtz, Thompson, and McGregor, and further in view of Bamburak.

None of Seazholtz, Thompson, McGregor, or Bamburak disclose or suggest “declaring a

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wireless service provider that transmitted the system identification as being the home service provider for the mobile station.”

Thus, claims 13 and 16 allowable over the prior art of record.

The Patent Office rejected claims 29 and 30 under 35 U.S.C. 103(a) over Seazholtz in view of Thompson and further in view of Osmani, U.S. Patent No. 5,815,807.

Osmani discloses (column 1, lines 42-49) “Billing services for radiotelephone subscriber units include prepaid short term billing structures such as calling cards and debit cards and postpaid periodic billing structures. Cellular communication systems are owned and operated for profit by communications companies who typically sell use of the system based on the amount of time spent by the user on the system and the distance involved between the communicating locations. Users may lease or buy cellular phones in order to use them on the system.”

As discussed above, Seazholtz in view of Thompson does not make obvious either claim 1 or claim 17 and does not disclose or make obvious declaring a wireless service provider as being a home service provider or home category service provider. Osmani does not remedy the deficiency of Seazholtz in view of Thompson.

Thus, claims 29 and 30 are allowable over the prior art of record.

The Patent Office is respectfully requested to reconsider and remove the rejections of the claims 1-17, 19, and 28-30 under 35 U.S.C. 103(a) based on Seazholtz, Thompson, McGregor, Mizikovsky, Bamburak, and/ or Osmani, and to allow all of the pending claims 1-17, 19, 20, and 22-32 as now presented for examination. An early notification of the allowability of claims 1-17, 19, 20, and 22-32 is earnestly solicited.

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